(Rev. 06/05) Judgment in a Criminal Case Sheet 1 - D. Massachusetts - 10/05

# UNITED STATES DISTRICT COURT

District of Massachusetts

UNITED STATES OF AMERICA

V.

**GREGORY WRIGHT** 

JĮ	UD	$\mathbf{GN}$	1EN	IT	IN	A	CRIN	<b>MIN</b>	AL	CA	SE
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Case Number: 1: 05 CR 10001 - 001 - WGY

USM Number: 25481-038

	Charles Rankin
	Defendant's Attorney  Additional documents attached
	Transcript Excerpt of Sentencing Hearing
	Transcript Enterpt of Someoning Training
THE DEFENDANT.	
THE DEFENDANT:  pleaded guilty to count(s)  1	
<del></del>	
pleaded nolo contendere to count(s) which was accepted by the court.	
•	
was found guilty on count(s) after a plea of not guilty.	
The defendant is adjudicated guilty of these offenses:	Additional Counts - See continuation page
<u>Title &amp; Section</u> <u>Nature of Offense</u>	Offense Ended Count
18 USC § 922(g)(1) Felon in Possession of a Firearm	11/08/04 1
The defendant is sentenced as provided in pages 2 through the Sentencing Reform Act of 1984.  The defendant has been found not guilty on count(s)	of this judgment. The sentence is imposed pursuant to
Count(s) is a	are dismissed on the motion of the United States.
It is ordered that the defendant must notify the United State or mailing address until all fines, restitution, costs, and special assess the defendant must notify the court and United States attorney of many control of the court and United States attorney of many control of the court and United States attorney of many control of the court and United States attorney of the court attorney of	es attorney for this district within 30 days of any change of name, residence, sments imposed by this judgment are fully paid. If ordered to pay restitution, naterial changes in economic circumstances.
	01/30/06
	Date of Imposition of Judgment
	/s/William G. Young
	Signature of Judge
	The Honorable William G. Young
	Judge, U.S. District Court
	Name and Title of Judge
	1/31/06
	Date

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DEPUTY UNITED STATES MARSHAL

of

%AO 245B(05-MA)

(Rev. 06/05) Judgment in a Criminal Case Sheet 2 - D. Massachusetts - 10/05

DEFENDANT: GREGORY WRIGHT CASE NUMBER: 1: 05 CR 10001 - 001 - WGY	Judgment — Page of
IMPRISO	ONMENT
The defendant is hereby committed to the custody of the Unite total term of: $70  month(s)$	ed States Bureau of Prisons to be imprisoned for a
The court makes the following recommendations to the Bureau	u of Prisons:
Participation in the 500 hour drug treatment program. On to the present. The court recommends the last 6 months	
The defendant is remanded to the custody of the United States	Marshal.
The defendant shall surrender to the United States Marshal for	this district:
at a.m p.m as notified by the United States Marshal.	on
The defendant shall surrender for service of sentence at the ins	stitution designated by the Bureau of Prisons:
before 2 p.m. on	
as notified by the United States Marshal.	
as notified by the Probation or Pretrial Services Office.	
RET	URN
I have executed this judgment as follows:	
Defendant delivered on	to
a, with a certified cop	by of this judgment.
	UNITED STATES MARSHAL
	D

Case 1:05-cr-10001-WGY Document 71 Filed 01/31/2006 Page 3 of 10

(Rev. 06/05) Judgment in a Criminal Case Sheet 3 - D. Massachusetts - 10/05

DEFENDANT: CASE NUMBER:	GREGORY WRIG 1: 05 CR 10001		Judgment-	–Page of
		SUPERVISED RELEASE		See continuation page
Upon release from in	nprisonment, the defenda	ant shall be on supervised release for a term of:	36	month(s)
The defendant is custody of the Burea	must report to the probat u of Prisons.	ion office in the district to which the defendant is	s released wit	hin 72 hours of release from the
The defendant shall s	nat aammit anathar fada	ual atata an lagal anima		

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed 104 tests per year, as directed by the probation officer.

The above drug testing condition is suspended, based on the court's determination that the defendant poses a low future substance abuse. (Check, if applicable.)							
$\checkmark$	The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)						
✓	The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)						
	The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)						
	The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)						

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

#### STANDARD CONDITIONS OF SUPERVISION

- the defendant shall not leave the judicial district without the permission of the court or probation officer; 1)
- the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of 2) each month;
- the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer; 3)
- the defendant shall support his or her dependents and meet other family responsibilities; 4)
- the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other 5) acceptable reasons;
- the defendant shall notify the probation officer at least ten days prior to any change in residence or employment; 6)
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer; 9)
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer; 11)
- the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the 12) permission of the court; and
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the 13) defendant's compliance with such notification requirement.

Sheet 4A - Continuation Page - Supervised Release/Probation -10/05

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Sheet 4A - Continuation Page - Supervised Release/Probation -10/05

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DEFENDANT: GREGORY WRIGHT

CASE NUMBER: 1: 05 CR 10001 - 001 - WGY

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# ADDITIONAL ✓ SUPERVISED RELEASE ☐ PROBATION TERMS

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed 104 tests per year, as directed by the Probation Office.

The defendant is to participate in a mental health treatment program as directed by probation. The defendant shall be required to contribute to the cost of services for such treatment based on the ability to pay or the availability of third party payment.

Continuation of Conditions of Supervised Release Probation

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**DEFENDANT:** 

Sheet 5 - D. Massachusetts - 10/05

**GREGORY WRIGHT** 

CASE NUMBER: 1: 05 CR 10001 - 001 - WGY

#### **CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

тот	ALS S	Assessment \$10	00.00	Fine \$		Restitution \$	
a	nfter such det Γhe defendar	ermination.	tution (including com	nmunity restituti	on) to the following pay	yees in the amount	D 245C) will be entered listed below.  Aless specified otherwise in deral victims must be paid
Name	e of Payee		Total Loss*		Restitution Ordered	<u>Pr</u>	iority or Percentage
							See Continuation Page
TOT	ALS	\$	\$	<u>(0.00</u> \$	Φ0	0.00	
	Restitution a	mount ordered pu	ırsuant to plea agreen	nent \$			
ш	fifteenth day	after the date of		nt to 18 U.S.C.	han \$2,500, unless the re § 3612(f). All of the pa 612(g).		•
	The court de	etermined that the	defendant does not h	ave the ability t	o pay interest and it is o	rdered that:	
	the inter	rest requirement is	s waived for the	fine r	estitution.		
	the inter	rest requirement f	for the fine	restitution	is modified as follows:		

<sup>\*</sup> Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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**DEFENDANT:** 

CASE NUMBER: 1: 05 CR 10001 - 001 - WGY

#### **SCHEDULE OF PAYMENTS**

Hav	ring assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:
A	Lump sum payment of \$\\ \frac{\$100.00}{}{} due immediately, balance due
	not later than, or in accordance C, D, E, or F below; or
В	Payment to begin immediately (may be combined with C, D, or F below); or
C	Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or
D	Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
E	Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
F	Special instructions regarding the payment of criminal monetary penalties:
	less the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during prisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial ponsibility Program, are made to the clerk of the court.
	Joint and Several  See Continuation Page
	Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.
	The defendant shall pay the cost of prosecution.
Г	The defendant shall pay the following court cost(s):
	The defendant shall forfeit the defendant's interest in the following property to the United States:

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of

AO 245B (Rev. 06/05) Criminal Judgment Attachment (Page 1) — Statement of Reasons - D. Massachusetts - 10/05

**GREGORY WRIGHT** DEFENDANT:

CASE NUMBER: 1: 05 CR 10001 - 001 - WGY

DISTRICT: **MASSACHUSETTS** 

I

II

#### STATEMENT OF REASONS

A	Ш	The court adopts the presentence investigation report without change.
В	V	The court adopts the presentence investigation report with the following changes.  (Check all that apply and specify court determination, findings, or comments, referencing paragraph numbers in the presentence report, if applicable.)  (Use Section VIII if necessary.)
	1	Chapter Two of the U.S.S.G. Manual determinations by court (including changes to base offense level, or specific offense characteristics):
	2	Chapter Three of the U.S.S.G. Manual determinations by court (including changes to victim-related adjustments, role in the offense, obstruction of justice, multiple counts, or acceptance of responsibility):
	3	Chapter Four of the U.S.S.G. Manual determinations by court (including changes to criminal history category or scores, career offender, or criminal livelihood determinations):
	4	Additional Comments or Findings (including comments or factual findings concerning certain information in the presentence report that the Federal Bureau of Prisons may rely on when it makes inmate classification, designation, or programming decisions):
		No finding as to whether the defendant committed the offense while on probation; no definitive criminal history category
C		The record establishes no need for a presentence investigation report pursuant to Fed.R.Crim.P. 32.
CC	URT	FINDING ON MANDATORY MINIMUM SENTENCE (Check all that apply.)
A	$\checkmark$	No count of conviction carries a mandatory minimum sentence.
В		Mandatory minimum sentence imposed.
С		One or more counts of conviction alleged in the indictment carry a mandatory minimum term of imprisonment, but the sentence imposed is below a mandatory minimum term because the court has determined that the mandatory minimum does not apply based on
		findings of fact in this case
		substantial assistance (18 U.S.C. § 3553(e))
		the statutory safety valve (18 U.S.C. § 3553(f))
CC	OURT	DETERMINATION OF ADVISORY GUIDELINE RANGE (BEFORE DEPARTURES):

#### Ш

Total Offense Level: Criminal History Category: IV or V

Imprisonment Range: 57 to 87 months Supervised Release Range: 2 to 3 years

to \$ 75,000 Fine Range: \$ 7,500

 $\square$  Fine waived or below the guideline range because of inability to pay.

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of

DEFENDANT: GREGORY WRIGHT

CASE NUMBER: 1: 05 CR 10001 - 001 - WGY

DISTRICT: MASSACHUSETTS

## STATEMENT OF REASONS

IV	ADVISORY GUIDELINE SENTENCI				NG DETERMINATION (Check only one.)						
	A		The sentence is within an advisory g	guidel	uideline range that is not greater than 24 months, and the court finds no reason to depart.						
	В	<b>√</b>	The sentence is within an advisory g (Use Section VIII if necessary.)	guidel	ine range	that is greater than 24 months, and the	e speci	ific senten	ce is imposed for these reasons.		
	C		The court departs from the advisory (Also complete Section V.)	y guid	leline ran	ge for reasons authorized by the senten	cing g	uidelines	manual.		
	D		The court imposed a sentence outside	le the	advisory	sentencing guideline system. (Also con	nplete	Section V	I.)		
$\mathbf{V}$	DE	EPA	RTURES AUTHORIZED BY TI	HE A	ADVISO	DRY SENTENCING GUIDELI	NES	(If appl	icable.)		
	A	Th	e sentence imposed departs (Che below the advisory guideline rang above the advisory guideline rang	ge	nly one.	):					
	В	De	parture based on (Check all that a	apply	y.):						
		1	☐ 5K1.1 plea agreement ☐ 5K3.1 plea agreement ☐ binding plea agreement ☐ plea agreement for done plea agreement that	nt ba nt ba ent f lepar state	sed on to sed on I for departure, who s that the	r and check reason(s) below.): the defendant's substantial assistated by the court accepted by the court high the court finds to be reasonable government will not oppose a description of the court and the court finds to be reasonable government.	Progr ble lefens	se depart			
Motion Not Addressed in a Plea Agreement (Check all that apply and check reason(s) below.):  □ 5K1.1 government motion based on the defendant's substantial assistance  □ 5K3.1 government motion based on Early Disposition or "Fast-track" program  □ government motion for departure  □ defense motion for departure to which the government did not object  □ defense motion for departure to which the government objected						n(s) below.):					
		3	Other  Other than a plea ag	reem	ent or n	notion by the parties for departure	(Ch	eck reas	on(s) below.):		
	C	R	eason(s) for Departure (Check al	all that apply other than 5K1.1 or 5K3.1.)							
	4A1. 5H1. 5H1. 5H1. 5H1. 5H1. 5H1.	1 2 3 4 5 6 11	Criminal History Inadequacy Age Education and Vocational Skills Mental and Emotional Condition Physical Condition Employment Record Family Ties and Responsibilities Military Record, Charitable Service, Good Works Aggravating or Mitigating Circumstances		5K2.1 5K2.2 5K2.3 5K2.4 5K2.5 5K2.6 5K2.7 5K2.8 5K2.9	Death Physical Injury Extreme Psychological Injury Abduction or Unlawful Restraint Property Damage or Loss Weapon or Dangerous Weapon Disruption of Government Function Extreme Conduct Criminal Purpose Victim's Conduct		5K2.12 5K2.13 5K2.14 5K2.16 5K2.17 5K2.18 5K2.20 5K2.21 5K2.22 5K2.23	Diminished Capacity Public Welfare Voluntary Disclosure of Offense High-Capacity, Semiautomatic Weapon Violent Street Gang Aberrant Behavior		

Attachment (Page 3) — Statement of Reasons - D. Massachusetts 10/05

DEFENDANT: GREGORY WRIGHT Judgment — Page of

CASE NUMBER: 1: 05 CR 10001 - 001 - WGY

DISTRICT: MASSACHUSETTS

VI

		STATEMENT OF REASONS
	URT DET	TERMINATION FOR SENTENCE OUTSIDE THE ADVISORY GUIDELINE SYSTEM apply.)
A	☐ below	tence imposed is (Check only one.):  The advisory guideline range  the advisory guideline range
В	Sentence	e imposed pursuant to (Check all that apply.):
	1	Plea Agreement (Check all that apply and check reason(s) below.):  binding plea agreement for a sentence outside the advisory guideline system accepted by the court  plea agreement for a sentence outside the advisory guideline system, which the court finds to be reasonable  plea agreement that states that the government will not oppose a defense motion to the court to sentence outside the advisory guideline system
	2	Motion Not Addressed in a Plea Agreement (Check all that apply and check reason(s) below.):  government motion for a sentence outside of the advisory guideline system  defense motion for a sentence outside of the advisory guideline system to which the government did not object  defense motion for a sentence outside of the advisory guideline system to which the government objected
	3	Other  Other than a plea agreement or motion by the parties for a sentence outside of the advisory guideline system (Check reason(s) below.):
C	Reason(	s) for Sentence Outside the Advisory Guideline System (Check all that apply.)
	to refl to affo to pro to pro (18 U.	ture and circumstances of the offense and the history and characteristics of the defendant pursuant to 18 U.S.C. § 3553(a)(1) eet the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense (18 U.S.C. § 3553(a)(2)(A)) and adequate deterrence to criminal conduct (18 U.S.C. § 3553(a)(2)(B)) teet the public from further crimes of the defendant (18 U.S.C. § 3553(a)(2)(C)) wide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner in the section of the defendants (18 U.S.C. § 3553(a)(2)(D)) and unwarranted sentencing disparities among defendants (18 U.S.C. § 3553(a)(7)) wide restitution to any victims of the offense (18 U.S.C. § 3553(a)(7))

D Explain the facts justifying a sentence outside the advisory guideline system. (UseSection VIII if necessary.)

**GREGORY WRIGHT** 

CASE NUMBER: 1: 05 CR 10001 - 001 - WGY

DISTRICT: MASSACHUSETTS

DEFENDANT:

## STATEMENT OF REASONS

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of

VII	CO	URT	DETERMIN	NATIONS OF RESTITUTION							
	A	<b>1</b>	Restitution	Not Applicable.							
	B Total Amount of Restitution:										
	C	Rest	titution not o	ordered (Check only one.):							
		1			ory under 18 U.S.C. § 3663A, restitution is not ordered because the number of mpracticable under 18 U.S.C. § 3663A(c)(3)(A).						
		2	issues of	f fact and relating them to the cause or amoun	ution is otherwise mandatory under 18 U.S.C. § 3663A, restitution is not ordered because determining complex em to the cause or amount of the victims' losses would complicate or prolong the sentencing process to a degree tution to any victim would be outweighed by the burden on the sentencing process under 18 U.S.C. § 3663A(c)(3)(B).						
_					ander 18 U.S.C. § 3663 and/or required by the sentencing guidelines, restitution is not the sentencing process resulting from the fashioning of a restitution order outweigh U.S.C. § 3663(a)(1)(B)(ii).						
		4	Restituti	Restitution is not ordered for other reasons. (Explain.)							
viii	D	DITI		itution is ordered for these reasons (1							
				TS JUSTIFYING THE SENTENCE and due to the fact that the court make	es no finding as to whether the defendant committed the crime while on						
				not find a definitive crimial history of							
			Sections 1	I. II. III. IV. and VII of the Statemen	t of Reasons form must be completed in all felony cases.						
Defe	ndan	t's So	c. Sec. No.:	000-00-8500	Date of Imposition of Judgment						
			te of Birth:	79	01/30/06						
			sidence Addı	rass	/s/William G. Young Signature of Judge						
					The Honorable William G. Young Judge, U.S. District Cour						
Defe	ndan	t's Ma	iling Addres	SS:	Name and Title of Judge Date Signed 1/31/06						

1	UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS
2	Criminal No.
3	05-10001-WGY
4	
5	
6	* * * * * * * * * * * * * * * * * * * *
7	* UNITED STATES OF AMERICA *
8	* v. * SENTENCING EXCERPT
9	GREGORY WRIGHT *
10	* * * * * * * * * * * * * * * * * * *
11	
12	BEFORE: The Honorable William G. Young,
13	District Judge
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24	1 Courthouse Way Boston, Massachusetts
25	January 30, 2006

THE COURT: Mr. Gregory Wright, in consideration of the factors that the Court takes into account under 18

United States Code, Section 3553, the information from the United States Attorney, your attorney, the probation officer and yourself, this Court sentences you to five years, ten months, 70 months, in the custody of the United States Attorney General, to be followed by three years of supervised release, no fine due to your inability to pay a fine, and a \$100 special assessment.

The Court recommends that while in prison you participate in the residential substance abuse program, specifically the 500-hour residential drug abuse program that the Bureau of Prisons runs.

The Court further recommends that the last six months of your confinement be spent in a halfway house to prepare you to live outside the prison.

While on supervised release, in addition to all the general conditions, you're to submit to one drug test within 15 days and two periodic drug tests thereafter, not to exceed 104 tests per year as directed by the probation officer.

You'll submit to the collection of a DNA sample as directed by the probation office.

You're prohibited from possessing a firearm or other dangerous weapon. You're to participate in a program

for substance abuse counseling and a program for mental health treatment. You're required to contribute to the costs of those treatment to the extent of your ability to pay.

And there will be a \$100 special assessment.

Now, let me explain this sentence. The Court makes no finding as to whether you are in category IV or category V. Given the arguments made by the United States here, the 70 month sentence is fully appropriate under either category.

Now, I'm not insensitive to what's happened to you, Mr. Wright. But you're here because of the conduct that you are guilty of. And it's only the order in which these various convictions have fallen out but what you would be an armed career criminal and we would be talking about a 15 year sentence, not five years, ten months.

Your attorney's done a fine job for you. If there are legal issues those legal issues can be explored on appeal. But as honestly as I know how, you've got to take advantage of the things I recommended for you. In all directness, I've put you on ice for a significant while now for you to sort yourself out. If this doesn't sort yourself out, after a 70 month sentence in federal prison, no other judge is going to cut you any slack, ever.

This is a long and a very dangerous record. You

are the victim of crimes of violence and your family is the victim of crimes of violence. You're going to prison because you're carrying a gun and you have no right to be carrying a gun. And that's terribly, terribly dangerous.

You'll get credit towards this sentence from -well, let's see here. He gets credit from November 8th,
2004, Ms. Pellegrini? He's arrested on 4-13-05 in the
federal case but he's in --

MS. PELLEGRINI: In state custody.

MR. RANKIN: I think the dates are November 8th to December 13th he's in, he's held on the state charge on this offense and then --

MS. PELLEGRINI: Correct.

MR. RANKIN: So he would get credit for that five weeks, and then credit would begin running again April 13th, 2005.

THE COURT: It is, it is so ordered and he will be so credited.

You are advised, sir, that you have the right to appeal from any findings or rulings this Court has made against you. Should you appeal, and indeed this is a conditional plea, should your appeal be successful in whole or in part, successful with respect to the motion to suppress, some other judge will take it over. If it's successful even as to the sentence here, you'll be sentenced

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1
      before some other judge.
 2
                That's the sentence of the Court. He's remanded to
      the custody of the marshals.
 3
 4
                MR. RANKIN: Thank you, your Honor.
 5
                THE DEFENDANT: Thank you, your Honor.
 6
                (Whereupon the matter concluded.)
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